

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

JUSTIN OLSEN,

Plaintiff,

vs.

ALASKA TEAMSTER-EMPLOYER
WELFARE PLAN and THE BOARD OF
TRUSTEES,

Defendant.

Case No. 4:11-cv-000015 RRB

**ORDER DENYING DEFENDANTS' MOTION TO DISMISS NON-ERISA
CLAIMS**

THIS MATTER having come before this Court upon motion of the Defendants to Dismiss NON-ERISA Claims, and the court being advised of the opposition;

IT IS HEREBY ORDERED that Defendants' Motion to Dismiss Non-ERISA Claims is **DENIED**. All of Plaintiff's Claims shall be considered by the finder of fact in this case through a *de novo* review of the evidence, including evidence outside of the record.

DATED at Fairbanks, Alaska this ____ day of ____, 2012.

The Honorable Ralph R. Beistline
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was provided via electronic filing using the CM/ECF system with the Clerk of Court to the following:

Ronald L. Bliss
500 L Street, Ste 200
Anchorage, AK 99501

Michael P. Monaco
720 Third Ave., Ste 1500
Seattle, WA 98104

Dated: 1/17/12 By: Jason Weiner

**GAZEWOOD &
WEINER, PC**

1008 16th Avenue
Suite 200
Fairbanks, Alaska 99701
Tel.: (907) 452-5196
Fax: (907) 456-7058
info@fairbanksllaw.com